

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 14 1987

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 4 1981 under 42718

The applicant Westmont Mining Inc. (as operator for Phillips Petroleum Co.)

390 Freeport Blvd., Suite 12

of

Sparks

Street and No. or P.O. Box No.

City or Town

Nevada 89431

State and Zip Code No.

hereby make S application for permission to change the

point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permits 41407

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground.

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.02785 cfs

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling, and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$ section 15, T16N-R57E; 4577.39 feet
on a bearing of N53°33'51" W to the Describe as being within a 40-acre subdivision of public survey and by course and
NW corner of section 15, T16N-R57E, all M.D.B.&M. Please use map filed under

distance to a section corner. If on unsurveyed land, it should be stated.

permit 42718 to support new point of diversion.

6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ SE $\frac{1}{4}$ section 8, T16N-R47E, M.D.B.&M.;
6171.09 feet on a bearing of S68°59'30"E to If point of diversion is not changed, do not answer.
the SE corner of section 9, T16N-R57E, M.D.B.&M. Please use map filed under

permits 41407/41408 to support existing well site.

7. Proposed place of use sections 5, 8, 9, 15, 16, 17, 21, and 22, T16N-R57E, M.D.B.&M.

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 9; W $\frac{1}{2}$ section 15; all of section 16;

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 21, all of section 22; all in T16N-R57E, M.D.B.&M.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works: (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) drilled well with pump, motor, and

State manner in which water is to be diverted, i.e. diversion structure, ditches,

4,000 gallon storage tank

pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$20,000.00

13. Estimated time required to construct works 500 feet of 8-inch casing has been installed

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumption use will be 72 acre-feet.

By s/William H. Wilkinson
390 Freeport Blvd., Suite 12
Sparks, Nevada 89431

Compared bc/jk jr/vjw

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 41407 is issued subject to the terms and conditions imposed in said Permit 41407 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 41408, Certificate 12940, 51211, 52658, 52659, 55044, 55045 and 55046 shall not exceed 270.5 million gallons annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0133 cubic feet per second, but not to exceed 3.14 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 18, 1996

Proof of completion of work shall be filed before May 18, 1996

Application of water to beneficial use shall be made on or before April 18, 1997

Proof of the application of water to beneficial use shall be filed on or before May 18, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 12th day of September

Certificate No. Issued A.D. 19 94

2407 (Rev. 6-81)

State Engineer

CANCELLED NOV 10 1998 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

R. Michael Turnipseed STATE ENGINEER

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

